



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

X

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,484	08/28/2000	Shuji Soga	500.38950X00	5764

20457 7590 09/25/2003

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

BORISOV, IGOR N

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

Office Action Summary	Application No.	Applicant(s)	
	09/648,484	SOGA ET AL.	
	Examiner	Art Unit	
	Igor Borissov	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 August 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 12-18 and 20-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 12-18 and 20-28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____ .
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

Art Unit: 3629

Fourteen 4/28/2000

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 12, 17-18 and 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (U. S. 5,965,858).

Suzuki et al. teach a manufactured article recycling system and method, comprising:

As per claims 12,

- transmitting, from a recycling certificate sales system through a network to a recycling certificate management system, sales information including identifying information of the recycling product and a processing fee of the recycling product, the recycling certificate sales system managing a recycling certificate having the identifying information of the recycling product, and the recycling certificate identifying information

- Art Unit: 3629

of the recycling product and recycling services processing fee (Abstract; column 5, line 1 through column 6, line 16; column 9, lines 29-36, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, lines 6-29);

- identifying information of the recycling product, and the recycling certificate management system managing a processing state of the recycling product; reading, by a receiving organization server managed by a receiving organization, the identifying information from the recycling certificate when the receiving organization receives the recycling product from a discharger (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- transmitting, from the receiving organization server through the network to the recycling certificate management system, receiving information indicating that the receiving organization received the recycling product containing the read identifying information (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- recording the receiving information in a database in the recycling certificate management system (column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- reading the identifying information from the recycling certificate by a product distributing organization server managed by a product distributing organization when the product distributing organization carrying the recycling product to the recycling organization receives the recycling product from the receiving organization (column 5,

· Art Unit: 3629

line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- transmitting, from the product distributing organization to the recycling certificate management system, take-over information indicating that the product distributing organization received the recycling product containing the read identifying information (column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- calculating a receiving fee accrued at the receiving organization by the recycling certificate management system when the recycling certificate management system receives the take-over information and the receiving information is recorded in the database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59);

- recording the take-over information in the database and reading the identifying information from the recycling certificate by the recycling organization server managed by the recycling organization when the recycling organization receives the recycling product from the product distributing organization (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59);

- transmitting, from the recycling organization server to the recycling certificate management system, incoming product information indicating that the recycling organization receives the recycling product containing the read identifying information;

Art Unit: 3629

and calculating a product distributing fee for the product distributing organization by the recycling certificate management system when the recycling certificate management system receives the incoming product information and the take-over information is recorded in the database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

As per claims 17 and 23, Suzuki et al. teach said system and method, comprising:

- receiving information indicating that a second recycling organization manages the recycling product moving from a first recycling processing organization to a second recycling processing organization for processing the recycling product following the first recycling processing organization and the second recycling processing organization managing a second recycling processing computer from a first recycling processing computer, among the plurality of recycling processing computers receiving the recycling product containing identifying information for identifying the recycling product database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

- calculating a recycling fee for a processing carried out by the first and second recycling processing organizations based on the certified identifying information and a processing content representing a purchase of recycling services, and processing information of settling accounts to the calculated recycling fee database (Abstract;

Art Unit: 3629

column 5, line 1 through column 6, line 16; column 9, lines 29-36, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

As per claims 18 and 24, Suzuki et al. teach said system and method wherein the recycling certificate system is connected, through the network, to a sales organization server managed by a sales organization for selling the recycle certificate storing the identifying information attached to the recycling product, wherein the recycling certificate system receives the identifying information transmitted from the sales organization server and fee information indicating the recycling processing fee of the recycling product, wherein the calculating of the recycling fee is carried out based on the fee information (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 13-16, 20-22 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al.

Art Unit: 3629

As per claims 13-16, 20-22 and 26-28, Suzuki et al. teach all the limitations of claims 13-16, 20-22 and 26-28, except for extracting information related to the recycled product when a predetermined time period is over for recycling the recycling product.

It would have been obvious to one of ordinary skill in the art to modify Suzuki et al. to include extracting information related to the recycled product after a predetermined time period, because it

It would have been an obvious matter of design choice at the time the invention was made to modify Suzuki et al. to include extracting information related to the recycled product after a predetermined time period, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Suzuki et al. would perform the invention as claimed by the applicant with extracting information related to the recycled product at any suitable for the recycling process time.

Response to Arguments

Applicant's arguments filed 06/11/03 have been fully considered but they are not persuasive.

In response to applicant's argument that Suzuki fails to show a recycling certificate identifying iformation of the recycling product and the processing fee which represents a purchase of recycling services, the examiner points out that Suzuki does, in fact, disclose this feature (See: column 9, lines 29-36; column 40, lines 6-29, and discussion above).

Conclusion

Art Unit: 3629

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

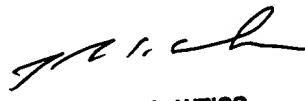
Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to:

(703) 872-9306 [Official communications; including
After Final communications labeled
"Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600